

ENTWISTLE & CAPPUCCI

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VIA ECF

Honorable Charles R. Breyer
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2672 CRB (JSC)

Dear Judge Breyer:

We write in brief response to the various submissions made in connection with this matter and in further support of our application to appoint Andrew J. Entwistle of our firm to a leadership role in this matter. Many fine lawyers and firms seek appointment. Having had the pleasure of litigating complex matters with many of them, we would be pleased to work with them again in this matter.

Our original submission proposed a Plaintiffs' Steering Committee with a Liaison Counsel/Chair. We suggested that the Steering Committee be structured to include representatives admitted to practice in the states most impacted by the sales of VW and related company vehicles. Toward that end, we provided auto industry data to assist Your Honor in this process (a copy of which we attach again here to save the Court from having to search back through the numerous filings here).

Reflecting on our experience in the General Motors and Chrysler bankruptcies representing creditors and dealers, we considered whether it made sense to include at least some representation on the Plaintiffs' Steering Committee by parties with experience with those groups. We think it does – even though we have observed that in the cases where dealers have been sued by customers (including one from the Southern District of New York where we acted as Co-Liaison counsel), VW has stepped in to provide a defense to the dealers.

We remain ready to assist Your Honor in whatever way the Court may request and we thank you again for the opportunity to make a leadership related submission in this matter.

Respectfully Submitted,

ENTWISTLE & CAPPUCCI LLP

/s/ Andrew J. Entwistle

Andrew J. Entwistle

(admitted *pro hac vice*)

cc: All counsel of record via ECF